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4                   UNITED STATES DISTRICT COURT  
5                   WESTERN DISTRICT OF WASHINGTON  
6                   AT TACOMA

7 JEREMY RYAN TIESKOTTER,

8                   Petitioner,

9                   v.

10 STATE OF WASHINGTON,

11                   Respondent.

No. C11-5525 BHS/KLS

ORDER DIRECTING SUBSTITUTION OF  
PARTY

11                   Mr. Tieskotter has filed a petition for writ of habeas corpus naming the State of  
12 Washington as Respondent. ECF No. 1. The proper respondent to a habeas petition is the  
13 “person who has custody over [the petitioner].” 28 U.S.C. § 2242; see also § 2243; *Brittingham*  
14                   *v. United States*, 982 F.2d 378 (9th Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir.  
15                   1989). According to his petition, Mr. Tieskotter is currently confined at the Washington State  
16 Penitentiary in Walla Walla, Washington. The Superintendent of the Washington State  
17 Penitentiary is Stephen D. Sinclair.  
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19                   Accordingly, the Clerk of Court is directed to substitute Stephen D. Sinclair as the  
20 Respondent in this action. The Clerk shall send copies of this Order to Petitioner and counsel  
21 for Respondent.  
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23                   DATED this 19th day of July, 2011.

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25                   Karen L. Strombom  
26                   United States Magistrate Judge